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Attorneys for Defendants

Global Client Solutions, LLC and

Rocky Mountain Bank and Trust

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

HEATHER NEWTON, individually and
behalf of others similarly situated,

PLAINTIFF,

v.

AMERICAN DEBT SERVICES, INC., a
California corporation; QUALITY SUPPORT
SERVICES, LLC, a California limited liability
company; GLOBAL CLIENT SOLUTIONS,
LLC; ROCKY MOUNTAIN BANK AND
TRUST; and DOES 1-100,

Defendants.

) Case No: 3:11-cv-03228-EMC

) CLASS ACTION

) BRENT HAMPTON DECLARATION IN
) SUPPORT OF GLOBAL CLIENT
) SOLUTIONS, LLC & ROCKY
) MOUNTAIN BANK & TRUST'S MOTION
) TO COMPEL ARBITRATION UNDER
) THE FEDERAL ARBITRATION ACT
) WITH INCORPORATED
) MEMORANDUM OF LAW

1 Pursuant to 28 U.S.C. § 1746, I, Brent Hampton, declare as follows:

2 1. I, Brent Hampton, am the General Counsel of Global Client Solutions, LLC
3 (“Global”). As part of my responsibilities, I have direct personal knowledge of Global’s business
4 operations and procedures. I also have personal knowledge of the facts stated herein or through a
5 review of records over which I have care, custody, and control. This Declaration is made in
6 support of Global’s and Rocky Mountain Bank and Trust’s (“RMBT”) Motion to Compel
7 Arbitration in the above-styled matter.
8

9 2. Global is a limited liability company organized and existing under the laws of the
10 State of Oklahoma.

11 3. Global is a financial and technology services company that specializes in payment
12 processing solutions for traditional banks such as, in this case, RMBT which performs traditional
13 banking functions such as facilitating Automated Clearing House (“ACH”) transactions for
14 account holders.

15 4. Global is considered a “Third Party ACH” Sender pursuant to National
16 Automated Clearing House Association Rules.
17

18 5. Global processes ACH transactions that the bank, as the Originating Depository
19 Financial Institution, executes for its account holders.

20 6. On or about September 24, 2009, Plaintiff Heather Newton executed and
21 submitted to Global a Special Purpose Account Application (the “Application”). Her Application
22 specified that funds would be debited from Newton’s personal bank account with Bank of
23 America. A true and correct copy of this Application is attached hereto as Exhibit A.
24

25 7. The Application incorporates by reference the Account Agreement and Disclosure
26 Statement (the “Agreement”). A true and correct copy of Global’s Account Agreement and
27 Disclosure Statement during this time period is attached hereto as Exhibit B.
28

1 8. On or about September 4, 2009, Global mailed to Newton a Welcome Letter
2 containing her account terms. This Letter also includes a copy of the Agreement A true and
3 correct copy of the Welcome Letter is attached hereto as Exhibit C.

4 9. On or about September 8, 2009, Newton made her first deposit, from her Bank of
5 America account, into her Special Purpose Account.

6 10. On or about September 17, 2009, Global received from Newton a second
7 Application which purported to change the bank account specified for future debits from Bank of
8 America to Golden One Credit Union. Again, this Application incorporated by reference the
9 Agreement. And, from this point forward, all debits were made from Newton's Golden One
10 Credit Union account. A true and correct copy of this second Application is attached hereto as
11 Exhibit D.
12

13 11. Global, thus, was the processor for all transactions that Newton ("Newton")
14 authorized on her Special Purpose Account at RMBT.

15 12. Global mailed Account Activity Statements to Newton on a monthly basis at the
16 address provided to Global on her Applications. A true and correct copy of her last Account
17 Activity Statement is attached hereto as Exhibit E.
18

19 13. The foregoing facts are known by me to be true, of my own personal knowledge. I
20 am competent to testify to such acts, and would so testify if I appeared in court as a witness at
21 the trial of this claim.
22

23 Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury and of the laws of the
24 United States that the foregoing is true and correct.

25 Brent Hampton
26 Brent Hampton

27 Dated: November 7, 2011.
28

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